

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-259, 50-260 and 50-296]

### Tennessee Valley Authority; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (NRC, the Commission) has granted a request by the Tennessee Valley Authority (the licensee) to withdraw its December 30, 1997, application for an amendment to Facility Operating License Nos. DPR-33, DPR-52 and DPR-68 issued to the licensee for operation of the Browns Ferry Nuclear Plant (BFN), Units 1, 2 and 3, respectively, located in Limestone County, Alabama. Notice of consideration of issuance of this amendment was published in the **Federal Register** on February 11, 1998 (63 FR 6999).

The purpose of the licensee's amendment request was to revise the BFN Custom Technical specifications (CTS) to remove an identified non-conservatism concerning the number of residual heat removal system service water (RHRSW) pumps required for multi-unit operation. This change also proposed to reduce the number of RHRSW pumps required to be operable after a unit has been in the cold shutdown condition for more than 24 hours.

On July 14, 1998, NRC issued Amendment Nos. 234, 253, and 212 to Facility Operating License Nos. DPR-33, DPR-52, and DPR-69 for BFN Units 1, 2, and 3, respectively, which approved conversion of CTS to Improved Technical Specifications (ITS). These license amendments also approved the licensee's December 30, 1997 proposed CTS change relating to the RHRSW pumps operation. As a result, by letter dated September 18, 1998, the licensee informed the staff that it no longer requires staff action relating to its December 30, 1997 application for CTS change relating to RHRSW pump operation. Thus the licensee's December 30, 1997 application is considered withdrawn by the licensee.

For further details with respect to this action, see the application for amendments dated December 30, 1997, the licensee's September 18, 1998 letter and the staff's letter dated October 8, 1998, which are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW., Washington, DC and at the local public document room located at the Athens Public Library, 405 E. South Street, Athens, Alabama.

Dated at Rockville, Maryland, this 8th day of October 1998.

For the Nuclear Regulatory Commission.

**L. Raghavan,**

*Senior Project Manager, Project Directorate II-3, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-27948 Filed 10-16-98; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

[Docket No. 50-213; License No. DPR-61]

### Connecticut Yankee Atomic Power Company; Receipt of Petition for Director's Decision Under 10 CFR 2.206

Notice is hereby given that by petition dated September 11, 1998, Citizens Awareness Network (Petitioner) has requested that the U.S. Nuclear Regulatory Commission (NRC) take action with regard to the Haddam Neck Plant. Petitioner requests that the NRC (1) immediately revoke or suspend the Connecticut Yankee Atomic Power Company (CYAPCO) operating license for the Haddam Neck Plant, (2) hold an informal public hearing on the petition in the vicinity of the site, and (3) consider requiring CYAPCO to conduct decommissioning activities under 10 CFR Part 72.

As the bases for these requests, Petitioner states that CYAPCO (1) demonstrates incompetence in creating and maintaining a safe work environment and an effective well-trained staff and (2) is not conducting its decommissioning activities in accordance with its Post Shutdown Decommissioning Activities Report (PSDAR) and therefore poses an undue risk to public health.

With regard to the Petitioner's request for immediate revocation or suspension of CYAPCO's operating license, under the provisions of 10 CFR 50.82(a)(2), HNP is no longer authorized to operate or place fuel in the reactor. The permanently shutdown and defueled status of the plant substantially reduces the risk to public health and safety. The decommissioning activities at Haddam Neck have not resulted in radiation exposure to any individual or effluent releases to the environment in excess of regulatory limits. Based on these facts, the Petitioner's request to immediately revoke or suspend the operating license for Haddam Neck has been denied.

With regard to the Petitioner's request for an informal public hearing, the staff reviewed the PSDAR and found that CYAPCO has followed the sequence of activities included in the PSDAR as

Figure 1, "CY Decommissioning Schedule." Additionally, CYAPCO committed to controlling radiation exposure to offsite individuals to levels less than both the Environmental Protection Agency's Protective Action Guides and NRC regulations. Both radiation exposures to individuals and effluents to the environment due to decommissioning activities have been within regulatory limits. Based on these facts, the staff found that no undue risk to public health and safety is present. The staff also determined that the Petitioner neither provided new information that raised the potential for a significant safety issue (SSI) nor presented a new SSI or new information on a previously evaluated SSI. Therefore, the criteria for an informal public hearing, contained in Part III (c) of Management Directive 8.11, are not satisfied and the Petitioner's request for an informal public hearing has been denied.

The request is being treated pursuant to 10 CFR 2.206 of the Commission's regulations. As provided for by Section 2.206, action will be taken on this request within a reasonable time. A copy of the petition is available for inspection at the Commission's Public Document Room, 2120 L Street, NW., Washington DC, and at the Local Public Document Room at the Russell Public Library, 123 Broad Street, Middletown, Connecticut 06457.

Dated at Rockville, Maryland this 7th day of October 1998.

For the Nuclear Regulatory Commission.

**Samuel J. Collins,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. 98-27947 Filed 10-16-98; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-26926]

### Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

October 9, 1998.

Notice is hereby giving that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) and any amendment is/are available for public inspection through the Commission's Office of Public Reference.